

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE APPLICATION OF CBS RADIO, INC.,

09 Civ. 7075 (DLC)

AMENDED PRETRIAL
SCHEDULING ORDER

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Related to

UNITED STATES OF AMERICA,
Plaintiff

v.

41 Civ. 1395 (DLC)

AMERICAN SOCIETY OF COMPOSERS,
AUTHORS, AND PUBLISHERS,
Defendant.

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| USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 3/24/10 |
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DENISE COTE, District Judge:

Defendant American Society of Composers, Authors and Publishers ("ASCAP") and Applicant CBS Radio, Inc. ("CBS Radio") submit this Amended Pretrial Scheduling Order in accordance with Federal Rule of Civil Procedure 26(f). Counsel for the parties have conferred and jointly propose the following revised pretrial schedule:

1. All fact discovery must be completed by **June 25, 2010**.
2. Parties' identification of experts and disclosure of expert testimony conforming to the requirements of Rule 26 (a)(2)(B), Fed.R.Civ.P., must occur by **August 6, 2010**. Disclosure of rebuttal expert testimony must occur by **September 3, 2010**.
3. All expert discovery must be completed by **October 8, 2010**.
4. The Joint Pretrial Order must be filed by **November 15, 2010**.

As described in this Court's Individual Practices in Civil Cases, the following documents must be filed with the Pretrial Order: Proposed Findings of Fact and Conclusions of Law and a Memorandum of Law addressing all questions of law expected to arise at trial. Any responsive memorandum of law is due one week thereafter.

All direct testimony except for testimony of an adverse party, a person whose attendance must be compelled by subpoena, or a witness for whom a party has requested

and the Court has agreed to hear the direct testimony at trial, shall be submitted by affidavits served, **but not filed**, with the Joint Pretrial Order.

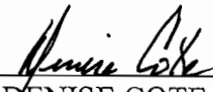
Those portions of depositions that are being offered as substantive evidence, along with a one page synopsis (with transcript citations) of such testimony for each deposition, shall be exchanged at the time the Pretrial Order is filed.

Three days after submission of the affidavits, counsel for each party shall submit a list of all affiants that he or she intends to cross-examine at the trial. Affiants for whom such notice is not given are not required to be present at trial.

Counsel will provide the Court with two (2) courtesy copies of all these documents at the time they are served, as well as one set of pre-marked exhibits assembled sequentially i) in a looseleaf binder, or ii) in separate manila folders labeled with the exhibit numbers and placed in a suitable container or box for ready reference.

SO ORDERED

Dated: New York, New York
March 24, 2010



DENISE COTE
United States District Judge